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8                   **UNITED STATES DISTRICT COURT**  
9                   **NORTHERN DISTRICT OF CALIFORNIA**  
10                  **(SAN FRANCISCO DIVISION)**

11                  In re: TFT-LCD (FLAT PANEL)  
12                  ANTITRUST LITIGATION

Master File No. 3:07-md-01827 SI (N.D.  
Cal.)

MDL No. 1827

13                  This Document Relates to:

14                  ALL ACTIONS

**REVISED STIPULATION AND**  
**[PROPOSED] ORDER REGARDING**  
**THE TAKING OF DEPOSITIONS AT**  
**THE UNITED STATES CONSULATE**  
**IN OSAKA, JAPAN**

1 Pursuant to Rule 28(b)(2) of the Federal Rules of Civil Procedure and Civil Local Rule 7-  
2 11, the Plaintiffs and the Defendants NEC Corporation and NEC LCD Technologies, Hitachi  
3 Ltd., Hitachi Displays Ltd., (n/k/a Japan Display East Inc.), MetroPCS Wireless, Inc., Office  
4 Depot, Inc., Jaco Electronics, Inc., Interbond Corporation of America, Schultze Agency Services,  
5 LLC, P.C. Richard & Son Long Island Corporation, MARTA Cooperative of America, Inc.,  
6 ABC Appliance, Inc., Tech Data Corporation, Tech Data Product Management, Inc., The AASI  
7 Creditor Liquidating Trust, by and through Kenneth A. Welt, Liquidating Trustee, CompuCom  
8 Systems, Inc., Viewsonic Corp., NECO Alliance LLC, and Rockwell Automation, Inc.  
9 ("Parties") jointly submit this Stipulation, seeking an order authorizing the taking of the  
10 depositions of Nobuaki Ito, Wataru Echigo, Toru Nakamura, Susumu Ohi, Hidetoshi Usui,  
11 Masashi Katsumi and Katsumi Orui in Osaka, Japan.

12 WHEREAS, judicial assistance between the United States and Japan in obtaining  
13 evidence is governed by Article 17 of the United States-Japan Consular Convention of 1963, 15  
14 U.S.T. 768;

15 WHEREAS, depositions in Japan must be taken pursuant to a court order or commission  
16 pursuant to Article 17 of the United States-Japan Consular Convention;

17 WHEREAS, the Parties have reserved the dates of May 13, 2013 – May 31, 2012 at the  
18 United States Consulate General in Osaka, Japan to take depositions of the above-listed  
19 employees of Defendants Hitachi Ltd., Hitachi Displays, Ltd. (n/k/a Japan Display East Inc.),  
20 NEC Corporation and NLT Technologies Ltd.;

21 IT IS HEREBY STIPULATED that:

22 The Parties respectfully request that this Court issue the Order, submitted herewith,  
23 authorizing the taking of depositions of Nobuaki Ito, Wataru Echigo, Toru Nakamura, Susumu  
24 Ohi, Hidetoshi Usui, Masashi Katsumi and Katsumi Orui in Osaka, Japan.

25 The deponents will appear voluntarily.

26 The depositions will commence on or about May 13, 2013 at 9:00 am (local time) and  
27 conclude on or about May 31, 2013 at 5:00 p.m. (local time).

28 ////

1           Counsel for Plaintiffs who will participate in the said depositions include one or more of  
 2 the following: Philip Ioveno, Christopher Fenlon, Kae Moat, Nathaniel Wood, Robert Turken,  
 3 Scott Wagner, and Wendy Polit.

4           Counsel for Defendants who will participate in said depositions include one or  
 5 more of the following: Kent Roger, Herman Hoying, Laura Lee, Kana Manabe, Tsuyoshi Ikeda,  
 6 George Niespolo, Stephen Sutro, Jennifer Briggs Fisher, Kevin C. McCann, Lee F. Berger,  
 7 Stephen Freccero, Derek Foran, Fusae Nara, Jacob R. Sorensen, Allison Davis, Jason Angell,  
 8 Jessica Leal, Martin Toto, John Chung and Seiji Niwa.

9           In addition to the deponents, NEC and Hitachi Displays, Ltd. (n/k/a Japan Display East  
 10 Inc.) representatives Fujio Okada, Makato Kawahara, Hitoshi Tanaka, Kaoru Abo, Manao  
 11 Yamaguchi, and Tetsuharu Hoshino may attend.

12          The proceedings will be reported by Balinda Jean Dunlap of Barkley Court Reporters and  
 13 recorded on video by Michael Barber of Barkley Court Reporters. Koko Peters will act as an  
 14 interpreter.

15          The transcripts of the depositions will be prepared and distributed among the interested  
 16 parties by the court reporter without further involvement by the Consulate General.

17          IT IS SO STIPULATED.

18 DATED: March 28, 2013.

Respectfully submitted,

19 /s/ Scott N. Wagner

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 21 MITCHELL E. WIDOM  
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19 *P.C. Richard & Son Long Island Corporation;*  
20 *MARTA Cooperative of America, Inc.; ABC Appliance*  
21 *Inc.; Tech Data Corp. and Tech Data Product*  
*Management, Inc.; The AASI Creditor Liquidating*  
*Trust; CompuCom Systems, Inc.; and NECO Alliance*  
*LLC*

1                   /s/ Kent M. Roger  
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Displays, Ltd. (n/k/a Japan Display East Inc.)*

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9                   /s/ Stephen H. Sutro  
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14                   *Counsel for Defendants NEC Corporation and NEC  
LCD Technologies, Ltd.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)

In re: TFT-LCD (FLAT PANEL)  
ANTITRUST LITIGATION

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ALL ACTIONS

**[PROPOSED] ORDER REGARDING  
THE TAKING OF DEPOSITIONS AT  
THE UNITED STATES CONSULATE  
IN OSAKA, JAPAN**

1     **TO ANY CONSUL OR VICE-CONSUL OF THE UNITED STATES ASSIGNED TO**  
 2     **OSAKA, JAPAN:**

3           WHEREAS, the above-captioned coordinated proceedings have been pending before this  
 4 Court since July 2007;

5           WHEREAS the Plaintiffs allege antitrust violations by Defendants, manufacturers and  
 6 suppliers of Thin-Film Transistor Liquid Crystal Display (TFT-LCD) products;

7           WHEREAS full discovery began in January 2009;

8           WEREAS the Parties reserved a deposition room at the United States Consulate General  
 9 in Osaka, Japan for taking depositions from May 13, 2013 through May 31, 2013.

10          On stipulation of the Parties, and pursuant to Article 17 of The United States-Japan  
 11 Consular Convention of 1963, 15 U.S.T. 768,

12          **IT IS ORDERED** that the deposition of the following witnesses, who will appear  
 13 voluntarily, be taken at the United States Consulate General in Osaka, Japan:

14          Name: **Nobuaki Ito**

15          Employer: Hitachi Displays, Ltd. (n/k/a Japan Display East Inc.)

16          Address: 3300 Hayano Mopara-shi, Chiba-ken, 297-8622, Japan

17          Name: **Wataru Echigo**

18          Employer: Hitachi, Ltd.

19          Address: 6-6, Marunouchi 1-Chome, Chiyoda-ku, Tokyo, 100-8280 Japan

20          Name: **Toru Nakamura**

21          Employer: NEC Corporation

22          Address: 5-7-1 Shiba, Minato-ku, Tokyo, 108-8001 Japan

23          Name: **Susumu Ohi**

24          Employer: NLT Technologies Ltd.

25          Address: 1753 Shimonumabe, Nakahara-ku, Kawasaki, Kanagawa 211-8666, Japan

26          Name: **Hidetoshi Usui**

27          Employer: NLT Technologies Ltd.

28          Address: 1753 Shimonumabe, Nakahara-ku, Kawasaki, Kanagawa 211-8666, Japan

29         ////

1 Name: **Katsumi Orui**  
 2 Employer: NEC Corporation  
 3 Address: 5-7-1 Shiba, Minato-ku, Tokyo, 108-8001 Japan

4 The depositions of the above individuals will commence on or about May 13, 2013 at  
 5 9:00 am (local time) and conclude on or about May 31, 2013 at 5:00 p.m. (local time).

6 Counsel for Plaintiffs who will participate in the said depositions include one or more of  
 7 the following: Philip Ioveno, Christopher Fenlon, Kae Moat, Nathaniel Wood, Robert Turken,  
 Scott Wagner, and Wendy Polit.

8 Counsel for Defendants who will participate in said depositions include one or more of  
 9 the following: Kent Roger, Herman Hoying, Laura Lee, Kana Manabe, Tsuyoshi Ikeda, George  
 10 Niespolo, Stephen Sutro, Jennifer Briggs Fisher, Kevin C. McCann, Lee F. Berger, Stephen  
 11 Freccero, Derek Foran, Fusae Nara, Jacob R. Sorensen, Allison Davis, Jason Angell, Jessica  
 12 Leal, Martin Toto, John Chung and Seiji Niwa.

13 In addition to the deponents, NEC and Hitachi Displays, Ltd. (n/k/a Japan Display East  
 14 Inc.) representatives Fujio Okada, Makato Kawahara, Hitoshi Tanaka, Kaoru Abo, Manao  
 15 Yamaguchi, and Tetsuharu Hoshino may attend.

16 The proceedings will be reported by Balinda Jean Dunlap of Barkley Court Reporters and  
 17 recorded on video by Michael Barber of Barkley Court Reporters. Koko Peters will act as an  
 18 interpreter.

19 The transcripts of the depositions will be prepared and distributed among the interested  
 20 parties by the court reporter without further involvement by the Consulate General.

21 **IT IS SO ORDERED.**

22 Dated: 3/28, 2013



23 HONORABLE SUSAN ILLSTON  
 24 United States District Judge